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Malaysia Infrastructure Transparency Assessment (MyTA): Methodology and Researcher Guide

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I. INTRODUCTION

This document aims to provide consistent referencing to researchers to minimize bias, individual interpretations and confusion when identifying the most appropriate choices for each indicator of the Malaysia InfrastructureTransparency Assessment (MyTA).

MyTA is a qualitative research tool developed by the Institute for Democracy and Economic Affairs (IDEAS) adapted from CoST Infrastructure Data Standards (CoST IDS) for proactive disclosure developed by the Construction Sector Transparency Initiative (CoST). The CoST IDS is a globally recognised standard for transparency and accountability in infrastructure projects.[1] MyTA is a tool to assess the degree of data availability and transparency of a public infrastructure project at sub-national level.

MyTA concerns the extent of the data proactively disclosed by project owners or procuring entities. Proactive disclosure means data should be disclosed by project owners or procuring entities 'without official request' and is disseminated in a clear and usable format through a public medium, such as an online portal that is open and accessible to a wide range of stakeholders. Procuring entities should proactively disclose 39 minimum data points.

Researchers undertaking this assessment should interpret the individual assessment results as a reflection of the level of transparency across multiple stages of a public infrastructure project.

II. CASE STUDY SELECTION

MyTA is an assessment tool aimed specifically at measuring the transparency of a public infrastructure project.

Public infrastructure is defined as facilities, structures, networks, systems, plant, property, equipment, or physical assets – and the enterprises that employ them or that provide public goods. This definition thus ranges from the direct provision of public installations to privately-owned and -operated utilities under government regulation, such as energy.[2]

Researchers should ensure that selected case studies for MyTA meet the definition of a public infrastructure project by ensuring that the project is owned, or funded by a public entity (i.e. Owned by state government or related public entities such as state statutory bodies or state owned enterprises). In the case of a public-private-partnership, the project may not be majority owned by a state government, but should be identifiably initiated by a state government to achieve a policy objective. Development projects which involve funding from the federal government are also accepted if it can be ascertained that project implementation comes under the control of a state government or one of its statutory bodies or state owned enterprises.

[1] https://infrastructuretransparency.org/wp-content/uploads/2021/03/Disclosure-Guidance.pdf
[2] https://www.oecd.org/gov/budgeting/Towards-a-Framework-for-the-Governance-of-Infrastructure.pdf

III. METHODOLOGY

a. Data Points

The assessment requires the disclosure of 39 data points which are taken from the COST IDS assessment methodology. These data points are categorised into (i) project information and (ii) contract information, to be disclosed across five phases of the infrastructure project cycle including: Identification, Preparation, Completion, Procurement and Implementation (see Table 1).

The Project Information (Project Identification, Project Preparation and Project Completion) is data on a project in a specified location, overseen by a single managing entity (project owner) and the budget authority. Contract Information (Procurement and Implementation) is that relating to a legal or officially binding agreement between a procuring entity and a contractor or consultant to deliver the set of project activities.[3]

Researchers may refer to Appendix I for definitions of each data point.

Table 1. CoST IDS: Project and Contract data for Proactive Disclosure

Project Phase		Contract Phase	
Project Identification	Project owner	Procurement	Procuring entity
	Sector, subsector		Procuring entity contact details
	Project name		Procurement process
	Project Location		Contract type
	Purpose		Contract status (current)
	Project description		Number of firms tendering
Project Preparation	Project Scope (main output)		Cost estimate
	Environmental impact		Contract administration entity
	Land and settlement impact		Contract title
	Contact details		Contract firm(s)
	Funding sources		Contract price
	Project Budget		Contract scope of work
	Project budget approval date		Contract start date
	Project Scope (main output)		Contract duration
Project Completion	Project status (current)	Implementation	Variation to contract price
	Completion cost (projected)		Escalation of contract price
	Completion date (projected)		Variation to contract duration
	Scope at completion		Variation to contract scope
	Reasons for project changes		Reasons for price changes
	Reference to audit and evaluation reports		Reasons for scope & duration changes

Source: Construction Sector Transparency Initiative (CoST), 2013

b. Assessing Data Availability

To capture the level of data disclosure and transparency, researchers answer a sequential series of questions for each data point. Researchers are asked to answer two (2) related

[3] https://infrastructuretransparency.org/our-approach/disclosure/

questions for each data point (See Table 2). A score of 1 will be assigned if the answer is "yes". The sequential aspect of the series of questions means that researchers can only answer question 2 if the answer to question 1 is "Yes". IDEAS provides a standard form for the partners to complete in doing the assessment (see Appendix II).

Table 2: Data Availability Assessment: Questions for each data point and their scores

Questions	Scores	
Question 1: Is the information available on a publicly accessible website?	IF Yes, =1 Point [Continue assessment]	IF No, =0 Points [End assessment; Score =0]
Question 2: Is the information available on a website that is hosted by the state government or the project owner?	IF Yes, =1 Point [End assessment; Score =2]	IF No, =0 Points [End assessment; Score =1]

c. Score

Each of the 39 data points will be given a score of 0,1, or 2, based on the results of the questions answered in assessing the level of data availability.

d. Comment and Source of Information

For every data point where the response is "Yes" to Question 1 or Question 2, researchers will provide:

i. ***Link to Information*** - Details of the sources used to answer that question (e.g., PM Press Statement (15/4/2019): https://www.pmo.gov.my/wp-content/uploads/2019/04/Press-Statement-by-PM-on-ECRL_15April2019.pdf

ii. ***Comment*** - A concise comment to the project or contract information based on the definition for each CoST IDS data point
   - (e.g., Original agreement was: 85% financed through 20-year EXIM Bank loan at 3.25% interest with 7-year moratorium. The residual 15% is government-funded through issuance of Sukuk bonds. However, the loan with EXIM bank has been renegotiated during 2019 but the financial/contract details of which have not been disclosed (as of 30th June 2020)

Links and concise comments are useful for reviewers who will check the answers given. Researchers should always provide a comment, even when scoring a question zero (0). In these cases they must explain how they tried to locate the details requested in the question. For example, describe the searches attempted in order to find a particular data point which ended with that dataset being unavailable.

Researchers must provide comments, explanations, sources and notes in English. Comments should be written in clear prose, and a neutral impersonal way, avoiding the use of first person. Researchers should provide justification for the findings in the comments, quoting directly from the source when necessary. . All comments need to be self-contained and self-explanatory, with no cross-references between any of them.

Sources are intended to support and supplement the comments, but a reader should be able to fully understand the comment without looking at the sources.

IV. RESEARCHER GUIDELINES

a. Locating Project and Contract Data Online

- If the government has a central procurement or contract data portal, search there first. If uncertain whether the country or sub-national government has a central procurement or contract data portal, search the web for relevant mentions. There may also be data portals from specific departments, for example from sub-national treasury offices or statistics agencies.

- Check the websites of any government departments or agencies who may be responsible for this project or contract data - use their internal search features to look for the relevant data or to search for 'open data' to see if they contain a listing of available datasets. If the public infrastructure project has been completed, search for related archived documents on the government portal.

- Search the web for mentions of this data or any other pointers to a possible data portal. In addition, to identify whether project data is available, and available as open data, consult academics, journalists, or relevant experts who may advise on data sources.

b. Guidance to Questions

Question 1. Is the information available in publicly accessible websites?

- Is the data available online in any digital format? This might include even tables on web pages, PDF files, or scanned copies of paper documents, as well as other formats like MS Excel.

- If the data is not available at all, then answer NO to this question and do not continue to Question 2 for this data point. **Provide an explanation of why the data**

does not exist and give a detailed explanation of the searches undertaken and sources consulted.

- **Only answer YES if a substantial proportion of the data** required **is available**, and then provide a link from where the data can be found online. Press releases, short summaries, journal articles, newspaper articles, event recordings, or any other publicly accessible source counts as a source of information. Researchers should ensure that the sources of infrastructure project data are reliable and creditable. Media sources and information reported by individuals who provide identities and affiliations which show that they have authoritative information are acceptable. Anonymous postings or social media postings from unaccredited accounts are not acceptable as sources.

Response guidelines:

- If the only data available is substantially outdated (e.g. 10 years old) or only available for a very small period of time (e.g. 2 months in the last 2 years), then answer NO.

- If the data is only available for a relatively small group of people (e.g. government officials or country nationals only), then answer NO.

- If the data is only accessible through a search system requiring to know some specifics from the data beforehand (e.g. ID codes, registry numbers or similar) to be able gain access and/or getting only partial results back, then answer NO.

- If the amount of data available is not substantial and/or highly aggregated (e.g. for Environmental Impact, if only the total amount of land impacted from the project is provided, with no further description of the environmental impact or mitigation measures), then answer NO.

Question 2: Is the above information available on a website hosted by the host- country government or the project owner?

- If no government source is available, answer NO to this question..

- If the data available is published by a state government website, thenanswer YES. Provide a brief description of the data available, including main characteristics and limitations, as well as details of the agencies responsible for this data.

Research tips:

- If the data is held by the government (including also state-owned companies and contractors delivering public programs or services for the government),provide a brief description of the data Also provide the name of the agency or agencies (including state-owned companies or contractors) that are responsible for the data.

- If the data is not held by the state government at all, explain briefly why the government does not hold this data when possible (e.g. lack of capacity to collect the data, etc.). If the data is held by a federal government website, it does not count as data made available by the state government.

- Ensure the data source is the responsibility of the state government (including also state-owned companies or contractors). A government domain name, or clear statement that the website is sponsored by the government may provide evidence of this. For datasets available on a non-government website then further searching to find if a government source is also available may be required. If registration is required to access the data you should indicate that in your answers, but also try to complete the registration process in order to evaluate the rest of the questions for the dataset.

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APPENDIX 1: Definition of Data Points

Phases	CoST IDS	CoST IDS Definition
PROJECT PHASE		
Project Identification	**Project owner**	Name of the sponsoring public entity in charge of the project (e.g. “Ministry of Public Works”).
	Sector, subsector	Select from a list of sectors relevant to the specific context, such as housing, transport, energy and water, with sub sectors for each sector, so transport could be subdivided into national highway, local road, railway, port and airport (e.g. “Transport, railway”)
	Project name	Specify the project name (e.g. “Catthorpe Viaduct Replacement”).
	Project Location	Briefly specify location of the project (e.g. “At the intersection of the M1, M6 and A14 in Leicestershire, approx. 6 km from Rugby”).
	Purpose	Specify the socio-economic purpose of the project (e.g. “Replacement of an existing structure that is in poor condition and which poses a risk to the highway network”).
	Project description	Concise description and details of the project (e.g. “Demolish existing viaduct and complete detailed design, construct new viaduct, start works on site July 2017, open viaduct to traffic December 2018”).
Project Preparation	**Project Scope (main output)**	Main outputs from the project that are being taken forward into construction (type, quantity, unit) (e.g. “Upgrading of 48 km gravel road to bitumen standard. This includes construction of four major bridges of total length of 210 m, 16 box culverts ranging from 1.5 m x 2 m to 4 m x 4 m sizes, installation of 3001 m pipe culverts, 56 400 m3 rock fill, installation of road signs and road marking”).
	Environmental impact	Briefly list the main environmental impacts and associated measures for this project and include any environmental impact category officially assigned. Impacts may include those that are positive, negative, direct, indirect, or accumulative. Measures may include those that are aimed at prevention, mitigation, or compensation (e.g. “Category II: limited environmental and social impact due to upgrading of existing road alignment. Risks identified related to dust control and pollution of watercourses during construction, including at borrow pit and quarry locations and site safety during construction. Mitigation measures are set out in the environmental and social management plan forming part of the contract. Environmental compliance manager appointed by the contractor to manage the implementation of this plan. The borrow pit reinstatement component includes a complementary intervention to convert one of the borrow puts into a safe water source for livestock”).
	Land and settlement impact	Briefly state the amount of land and property, if any, that was acquired for the project, making reference where possible to any officially applicable standards that have been followed and to associated mitigation measures (e.g. “5 km2 of land acquired. Key issues include relocation of a burial site, relocation of 40 households and disruption

		to local businesses. Provisions of IFC Performance Standard 5 (Land Acquisition and Involuntary Resettlement - 2012) are included within the contract”).
	Contact details	Postal and electronic address of the project owner (e.g. “Highways England, 3 Ridgeway, Quinton Business Park, Birmingham, B32 1AF, UK, info@highwaysengland.co.uk”).
	Funding sources	name the funding organisation(s) or sources of funding (e.g. “Department for Transport”).
	Project Budget	Specify the projected costs or allocated budget for the project (currency and amount). The budget includes land and property acquisition, environmental mitigation measures, health and safety provisions, client, consultant and contractor costs and value added tax (e.g. “£20.8 million”).
	Project budget approval date	Day, month, year project budget was authorised (e.g. “17 January 2017”).
Project Completion	**Project status (current)**	The current stage of the project. Select from identification, preparation, construction, completion, completed or cancelled.
	Completion cost (projected)	State projected or actual completion cost (currency and amount)
	Completion date (projected)	State projected or actual completion date
	Scope at completion	Indicate projected or actual scope of project. Aim is to show if the completed project scope differs from the original project scope. Specify main outputs (type, quantity, unit)
	Reasons for project changes	Summary of primary reasons for any changes in scope, time and cost
	Reference to audit and evaluation reports	Reference to publicly available technical and financial audits
CONTRACT PHASE		
Procurement	**Procuring entity**	Name of the organisation carrying out the tender process (e.g. “Highways Agency”).
	Procuring entity contact details	Postal and electronic address (e.g. “Tanzania National Roads Agency (TANROADS), P.O. Box 11364, Dar es Salaam, Tanzania”).
	Procurement process	Select from a list such as international competitive bidding, national competitive bidding, donor procurement rules, framework, direct award (e.g. “National competitive bidding”).
	Contract type	Select from a list such as: design, supervision, design and supervision, design and construction, construction (e.g. “Construction”).
	Contract status (current)	Select from pre-award, active or closed (e.g., “Active”)
	Number of firms tendering	Number of firms which submit a tender (e.g. “Five firms tendering”).
	Cost estimate	Currency and amount of the original pre-tender owner’s estimate of the contract (e.g. “Task order M279 – £150 952, task order M302 – £381 044, package order 1068 – £120 454”).

	Contract administration entity	Name of the organisation carrying out the contract administrative entity if different from the procuring entity (e.g. “Highways Agency”).
	Contract title	Formal name of the contract and a reference number (e.g. “Contract number 2021−1239: consultancy services for the supervision of upgrading of Magole−Turiani−Mziha road to bitumen standard, lot 1: Magole−Turiani (48.6 km)”).
	Contract firm(s)	Legal name of supplier and registration number if available (e.g. “Skanska Construction UK Limited, company number 879819”)
	Contract price	Currency and price at contract award (e.g. “£17.825 million”).
	Contract scope of work	Main outputs from the contract, such as detailed design, supervision, project management and or type, quantity, unit for construction (e.g. “Design and construction of the new viaduct and associated roadworks, diversion and reinstatement of services, protective measures and demolition of the existing structure”).
	Contract start date	Contract start date or initiation order (day-month-year) (e.g. “19 March 2019”).
	Contract duration	Number of days from contract start date to (anticipated) completion date (e.g. “637 days”)
Implementation	**Variation to contract price**	Difference between the price at contract award and the current projected price, excluding adjustments due to escalation (e.g. “As a result of contract variations, the contract price has increased by TZS 6.25 billion (14.8 % of the original contract value)”).
	Escalation of contract price	Normally restricted to multi-year contracts, this refers to an adjustment based on the escalation to date of the price of materials, labour, equipment and so on due to inflation or currency fluctuations. It is calculated in accordance with specific contract clauses and related Indices set out in the contract (e.g. “To date, based on the provisions of clause 55 (price adjustment) in the general conditions of contract, the contract price has increased by TZS 3.46 billion (8.2 % of the original contract value)”).
	Variation to contract duration	Difference between original duration at contract award and the current projected duration in days (e.g. “210 days”).
	Variation to contract scope	Any changes between original scope at contract award and the current scope (e.g. “Extending the design standard of town section for Butajira town by 770 m and change in design for section of the road from km 84+300 to km 86 +900 from rural section to town section”).
	Reasons for price changes	Summary of reasons for primary factors (variations or escalation) that have led to changes in contract price (e.g. “Increased quantities of reinforced concrete as a result of adjustments to design to include additional lined drainage channels and escalation in price of diesel”).
	Reasons for scope & duration changes	Summary of reasons for primary of changes including variations that then lead to changes in the scope and duration (e.g. “Updating of design to comply with latest design standard criteria for adopting a ‘town’ rather than ‘rural’ cross section. This design review and the late settlement of interim payment certificates contributed to successful claims for additional time”).

(*Source: CoST, 2021. Disclosure Manual.* [*https://infrastructuretransparency.org/wp-content/uploads/2021/03/Disclosure-Manual.pdf*](https://infrastructuretransparency.org/wp-content/uploads/2021/03/Disclosure-Manual.pdf))